

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

Patent Application

Inventor: David Stevenson Spain

Serial No.: 10/668634

Conf. No.: 2179

Filing Date: 9/23/2003

Art Unit: 2617

Examiner: Shedrick, Charles Terrell

Docket No.: 465-009US

Title: Location Estimation of Wireless Terminals Through Pattern Matching of
Deduced Signal Strengths

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

PRE-APPEAL BRIEF REQUEST FOR REVIEW

The applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

Respectfully,
David Stevenson Spain

By **/Jason Paul DeMont/**

Jason Paul DeMont
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Dear Sir:

PRE-APPEAL BRIEF REMARKS

The present claims have been rejected based on Rotstein and Chen for the second time. The applicant has reviewed his remarks in response to the first rejection and believes that they are correct.

To summarize, the logic underlying the Office's position is that because the present invention uses "well-known" algebraic manipulation to turn known quantities into desired quantities, it is, therefore, obvious in light of references which teach the algebraic manipulation of some of the known quantities. This, the applicant respectfully submits, cannot be sustained.

First, the applicants understood a need for a quantity that for esoteric reasons is not empirically available. There is nothing in the prior art that teaches or suggests that the sought-after quantity is advantageous.

Second, the applicant further understood that although the desired quantity could not be empirically obtained, it could be deduced — through logic and algebra — from quantities that are available. There is nothing in the prior art that teaches or suggests how to obtain the sought-after quantity from the known quantities.

The prior art does teach that the known quantities are subject to algebraic manipulation, but that does not make the present invention obvious.

For this reason, the applicants respectfully submit that the rejection is traversed.

Respectfully,
David Stevenson Spain

By **/Jason Paul DeMont/**
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